

19870602

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

TUESDAY, JUNE 2, 1987

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Jones at 10:34 a.m.

The meeting was recessed by Deputy Mayor Jones at 12:04 p.m., to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor Jones at 2:08 p.m. with Mayor O'Connor and Council Members Cleator, McColl, and Ballesteros not present. Deputy Mayor Jones adjourned the meeting at 5:50 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-excused by R-268600 (City business out of town)
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Cleator-excused by R-268518 (vacation)
 - (3) Council Member McColl-present
 - (4) Council Member Jones-present
 - (5) Council Member Struiksma-present
 - (6) Council Member Gotch-present
 - (7) Council Member McCarty-present
 - (8) Council Member Ballesteros-present
- Clerk-Mutascio (mp;eb)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Mutascio called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-not present
- (3) Council Member McColl-not present
- (4) Council Member Jones-present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Ballesteros-present

ITEM-310: PRESENTATION MADE

Presenting the Governor's Award for Historic Preservation to the Gaslamp Quarter Council and announcing the award of a Federal grant to the City for historic preservation work. (Presentation by Kathryn Gualtieri of the State Office of Historic Preservation, and Steade Craigo, Architect.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A014-077.)

ITEM-311:

Two actions relative to authorizing suggestion awards and making a presentation to the following employees:

Subitem-A: (R-87-2431) ADOPTED AS RESOLUTION R-268481

Aldo Chiappone - Water Utilities - \$2,434.76.

Phillip Stone - Police - \$1,263.37.

Trent Robertson - Engineering and Development - \$802.38.

Subitem-B: (R-87-2432) ADOPTED AS RESOLUTION R-268482

Al Kaufenberg - Planning - \$563.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A078-081.)

MOTION BY GOTCH TO ADOPT ITEMS-311 AND -312. Second by McCarty.

Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-312:

Four actions relative to authorizing suggestion awards to the following employees:

Subitem-A: (R-87-2433) ADOPTED AS RESOLUTION R-268483

Robin Glenn - Risk Management - \$471.12.

Warren Wazny - Water Utilities - \$381.13.

Mary Taylor - Attorney - \$320.

Dennis Marnell - General Services - \$265.56.

Subitem-B: (R-87-2434) ADOPTED AS RESOLUTION R-268484

Jeannette Turgeon - Financial Management - \$200.

William Wilson - Water Utilities - \$160.

Michael-David Blaylock - Police - \$160.

Victor Morel - Police - \$160.

Subitem-C: (R-87-2435) ADOPTED AS RESOLUTION R-268485

Terrance Baird - Fire - \$90.
Mark Strohman - Water Utilities - \$50.
Russell Heyneman, Jr. - Fire - \$45.
Richard Leap - Fire - \$45.

Subitem-D: (R-87-2436) ADOPTED AS RESOLUTION R-268486
Michael Gomez - Risk Management - Certificate of
Merit-Partial.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A078-081.)

MOTION BY GOTCH TO ADOPT ITEMS-311 AND -312. Second by McCarty.
Passed by the following vote: Wolfsheimer-yea, Cleator-not
present, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea,
McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-330: CONTINUED TO JULY 7, 1987, 10:00 A.M.
Rezoning Lot A-63, Map-1174, located on the west side of
Sycamore Road between the San Ysidro Athletic Area (Larsen
Field) and Sunrise Drive (a 1.0-acre site), in the Tia
Juana River Valley Community Plan area, from Zones R1-40000
and R-1500 to Zone R-3000.
(Case-86-1037. District-8.)

Subitem-A: (R-87-2200)
Adoption of a Resolution certifying that the information
contained in Environmental Negative Declaration END-86-1037
has been completed in compliance with the California
Environmental Quality Act of 1970 and State guidelines, and
that said declaration has been reviewed and considered by
the Council.

Subitem-B: (O-87-199)
Introduction of an Ordinance for R-3000 Zoning.
FILE LOCATION:

Subitem-A: ZONE ORD. NO.;

Subitem-B: --

COUNCIL ACTION: (Tape location: A269-589.)

Hearing began at 10:55 a.m. and halted at 11:14 a.m.
Testimony in favor by Robert E. Stovall.

Motion by Ballesteros to deny the zoning. No second.

MOTION BY BALLESTEROS TO CONTINUE TO JULY 7, 1987, 10:00 A.M.,
AND TO DIRECT STAFF TO RESPOND TO HER QUESTIONS REGARDING THE

OVER-IMPACTED SCHOOLS, IMPACT OF TRAFFIC IN THE ENTIRE AREA, AND POLICE ISSUES. BRING THIS RESPONSE BACK TO THE COUNCIL PRIOR TO JULY 7, 1987, 10:00 A.M. ALSO, STAFF IS REQUESTED TO WORK WITH THE COMMUNITY PLANNING GROUP, THE DEVELOPER, AND COUNCIL MEMBER BALLESTEROS'S STAFF TO DISCUSS (1) THE COMMUNITY PLAN UPDATE WHICH IS BEING ACCOMPLISHED AT THE PRESENT TIME, AND (2) THE OVERALL ISSUES AFFECTING THE COMMUNITY OF SAN YSIDRO. Second by Struiksmma. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-331: CONTINUED TO JUNE 23, 1987

Matters concerning all of that portion of Lot 78 of Rancho Mission of San Diego lying within Section 25, Township 15 South, Range 3 West, SBBM, and a portion of land owned by the Department of the Navy known as the United States Naval Air Station, Miramar, California. The subject property (approximately 43 acres) is located south of State Route 52, east of Convoy Street and west of Magnatron Boulevard, in the Serra Mesa Community Plan area. The San Diego Energy Recovery (SANDER) Project is a City-sponsored, waste-to-energy facility, proposed to be located on the above 43-acre site adjacent to the Miramar land fill.

- 1) Rezoning the above described real property from Zones M-1A and A-1-10 to Zone M-1B;
 - 2) Amending the Serra Mesa Community Plan to redesignate the above described real property from Light Industrial to a Waste Management Facility; and
 - 3) Amending the Progress Guide and General Plan to redesignate the above described real property from General Industrial to a Waste Management Facility.
- (Case-86-0633. District-5.)

Subitem-A: (O-87-212)

Introduction of an Ordinance for M-1B Zoning.

Subitem-B: (R-87-2167)

Adoption of a Resolution amending the Serra Mesa Community Plan, and amending the Progress Guide and General Plan, to become effective after the next omnibus hearing.

FILE LOCATION:

Subitem-A: --;

Subitem-B: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A088-265;B305-C108;D048-F357.)

Testimony in favor of a continuance by Jack Minan.

Motion by Ballesteros to grant the continuance but to allow public testimony to take place today. Second by Wolfsheimer. Failed by the following vote: Yeas-1,8. Nays-3,4,5,6,7. Not present: 2,M.

Hearing began at 11:38 a.m. and recessed at 12:04 p.m.

Testimony in opposition by Jack Minan, Janet Brown, Barbara Bamburgh, Jack Mones, Hyacinth Montgomery, Barbara Massey, Sadie Berman, Merlin Osterhaus, Gertrude Evans, Ruth Duemler, Connie Rawlins, Jim Bell, and Marian Joplin.

Hearing resumed at 2:12 p.m. and halted 3:57 p.m.

Testimony in favor by Bud Porter, Paul Peterson, Frank Mozanfc, Dave Mulliken, Jim Harris, and Gabriel Vivas.

Motion by McCarty to approve staff's recommendation. Second by Struiksma. Motion withdrawn.

MOTION BY McCARTY TO CONTINUE TO JUNE 23, 1987, AND DIRECT THE CITY MANAGER TO EVALUATE A RECYCLING ELEMENT AND THE COST AND RESPOND TO ENVIRONMENTAL CONCERNS EXPRESSED BY THE COUNCIL AND THE

PUBLIC TESTIMONY AND DIRECT THE CITY ATTORNEY TO REPORT BACK TO COUNCIL ON THE LEGAL CONCERNS REGARDING THE REQUIREMENT FOR REZONING. Second by Ballesteros. Passed by the following vote: Wolfsheimer-nay, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-332: (R-87-) CONTINUED TO JUNE 23, 1987, 10:00 A.M.

Matter of a revocation of Conditional Use Permit CUP-10-607-0, allowing construction and operation of a 15-unit senior housing project. The revocation is proposed due to violation of the permit conditions by not having one senior citizen at least 62 years of age in each unit. The subject property is described as Lots 21 and 22, Block 17, Reed and Hubbell's Addition, Map-327, and is located on the south side of Boston Avenue between 29th and 30th Streets (approximately .16 acres), in Zone BLPD Area C, in the Barrio Logan Community Plan area.
(CUP-10-607-0. District-4.)

Adoption of a Resolution approving or denying revocation of Conditional Use Permit CUP-10-607-0, with appropriate findings to support Council action.

FILE LOCATION: PERM - CUP-10-607-0

COUNCIL ACTION: (Tape location: B048-300.)

Hearing began at 11:17 a.m. and halted at 11:37 a.m.

Testimony in opposition by Milton M. Brown.

Deputy Mayor Jones closed the hearing.

Motion by Struiksma to adopt. Second by Jones. No vote taken.

MOTION BY GOTCH TO CONTINUE TO JUNE 23, 1987, 10:00 A.M., TO ALLOW THE OWNER TIME TO SHOW GOOD FAITH IN USING THE PROPERTY AS SENIOR CITIZEN HOUSING. AS A CONSCIOUS EFFORT TO BRING THE BUILDING INTO COMPLIANCE WITH THE PERMIT, THE OWNER IS ENCOURAGED TO COME FORWARD WITH A TIME TABLE TO SHOW A GRADUAL REDUCTION OF ITS PRESENT TENANTS WITH THE PHASING IN OF SENIORS. ALSO, THE CITY ATTORNEY IS ASKED TO LOOK AT THIS CASE, AND WHEN IT COMES BACK TO COUNCIL, TO ADVISE WHAT THE APPROPRIATE ACTION SHOULD BE. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-333: (R-87-2189) ADOPTED AS RESOLUTION R-268487

FINDINGS MUST BE MADE AS A PART OF COUNCIL ADOPTION

Determining and declaring that the public interest, convenience and necessity of the City of San Diego requires the acquisition of property known as Lots 33 and 34 in Block 12 of Swan's Addition for open space purposes in Mid-City Addition BH (City Heights) and that the public interest, convenience and necessity demand the acquisition of fee title to said property for the Mid-City BH (City Heights) Open Space Program; declaring the intention of the City to acquire said property under eminent domain proceedings; directing the City Attorney to commence an action in the Superior Court of the State of California, in and for the County of San Diego, for the purpose of condemning and acquiring said property. (See City Manager Report CMR-87-257. Mid-City Community Area. District-3.)

Aud. Cert. 8700747.

FILE LOCATION: STRT OS-1

COUNCIL ACTION: (Tape location: B025-030.)

Hearing began at 11:15 a.m. and halted at 11:16 a.m.

MOTION BY MCCOLL TO CLOSE THE HEARING AND ADOPT. Second by Ballesteros. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-334: (R-87-2202) ADOPTED AS RESOLUTION R-268488

FINDINGS MUST BE MADE AS A PART OF COUNCIL ADOPTION

Determining and declaring that the public interest, convenience and necessity of the City of San Diego requires the acquisition of property known as Lots 17 and 18, in Block 17 of M. Santee's Subdivision; Lots 33 and 34, in Block 121 of Choate's Addition; and Lots 3, 4, 5, 7, 8, 21 and 22, in Blocks 1 and 2 of San Diego Property Union for open space purposes in Mid-City Addition C (32nd Street Canyon) and that the public interest, convenience and necessity demand the acquisition of fee title to said property for the Mid-City Addition C (32nd Street Canyon) Open Space Program; declaring the intention of the City to acquire said property under eminent domain proceedings; directing the City Attorney to commence an action in the Superior Court of the State of California, in and for the County of San Diego, for the purpose of condemning and acquiring said property. (See City Manager Report CMR-87-259. Mid-City Community Area. District-8.)

Aud. Cert. 8700755.

FILE LOCATION: STRT OS-1

COUNCIL ACTION: (Tape location: B032-035.)

Hearing began at 11:16 a.m. and halted at 11:17 a.m.

MOTION BY BALLESTEROS TO CLOSE THE HEARING AND ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-335:

Three actions relative to the vacation of a portion of Albatross Street and University Place:
(See City Manager Report CMR-87-287. Uptown Community Area. District-8.)

Subitem-A: (R-87-2091) ADOPTED AS RESOLUTION R-268489

Vacating a portion of Albatross Street north of University Place; a portion of University Place east and west of Albatross Street; and a portion of the north/south alley adjacent to Lot 16 of Block 3, Map-1023.

Subitem-B: (R-87-2096) ADOPTED AS RESOLUTION R-268490

Certifying that the information contained in Environmental Negative Declaration END-85-0707, issued in connection with the vacation of a portion of Albatross Street north of

University Place; a portion of University Place east and west of Albatross Street and a portion of the north/south alley adjacent to Lot 16 of Block 3, Map-1023, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines thereto, and that said declaration has been reviewed and considered by the Council.

Subitem-C: (R-87-2132) ADOPTED AS RESOLUTION R-268491

Approving the acceptance by the City Manager of those building restriction easement deeds of Canyonview Partners, Ltd.; the deed of Ailene Brady; the deed of Opportunity Trade School; and the deed of William Urban and Olive Diane Urban, granting to the City building restriction easements in a portion of University Place of Map-1023, and a portion of Albatross of Map-892.

FILE LOCATION:

Subitem-A STRT J-2649,

Subitem-B STRT J-2649,

Subitem-C DEED F-3920 DEEDFY87-5

COUNCIL ACTION: (Tape location: F358-G176.)

Hearing began 3:57 p.m. and halted 4:24 p.m.

Testimony in favor by Kimyon Haim.

Tesimony in opposition by Carol Emerick, Gwen Small, and Greg Glassman.

MOTION BY BALLESTEROS TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-nay, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-336:

Matter of the Morena Revitalization Program consisting of the following proposals:

- 1) Establishing the Morena Planned District;
 - 2) Rescinding the existing R1-40000, R-400, CO, CA, C, M-1B, M-1A and M-1 Zones and rezoning the affected subject real property into the Morena Planned District; and
 - 3) Establishing the Morena Public Improvements Program.
- The Morena Revitalization Program purpose is to upgrade and improve land uses and physical development in order to economically and physically improve the area. The subject

property is located between Tecolote Road on the north, Friars Road on the south, I-5 on the west, and Overlook Heights and University of San Diego on the east within the Linda Vista Community Plan boundaries.
(District-6.)

Subitem-A: (R-87-98) REFERRED TO PLANNING COMMISSION
Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-86-0208 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-87-99) ADOPTED AS RESOLUTION R-268492
Adoption of a Resolution approving the Morena Transportation Study.

Subitem-C: (O-87-6) REFERRED TO PLANNING COMMISSION
Introduction of an Ordinance establishing the Morena Planned District.

Subitem-D: (O-87-7) REFERRED TO PLANNING COMMISSION
Introduction of an Ordinance rezoning affected property into the Morena Planned District.

Subitem-E: (R-87-100) REFERRED TO PLANNING COMMISSION
Adoption of a Resolution establishing a fee deposit to cover costs of administering the Morena Planned District.

FILE LOCATION: LAND Morena Planned District

COUNCIL ACTION: (Tape location: G176-411.)

Hearing began 4:24 p.m. and halted 4:41 p.m.

Testimony in favor of the Morena Transportation Study by Robert Falvell.

Testimony in opposition by Ruby Zellman.

Motion by Gotch to refer the matter back to the Planning Commission to evaluate with the Commercial Pedestrian Interim Overlay Zone and the Planned District Ordinance. Second by McCarty. Motion was amended.

MOTION BY GOTCH TO ADOPT SUBITEM-B AND REFER THE REMAINDER OF THE

ITEM BACK TO THE PLANNING COMMISSION TO EVALUATE WITH THE COMMERCIAL PEDESTRIAN INTERIM OVERLAY ZONE AND THE PLANNED DISTRICT ORDINANCE. Second by McCarty. Passed by the following

vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-337: CONTINUED TO JULY 6, 1987, 2:00 P.M.

(Continued from the meeting of May 12, 1987, Item 333, at Council Member Struiksma's request, due to the lack of a quorum.)

Appeal of Robert L. Jadow from the decision of the Planning Commission in approving, as amended, Conditional Use Permit CUP-86-0955 proposing to establish a day center for the homeless. The subject 25,000-square-foot site is located on the east side of 17th Avenue between "J" and "L" Streets, in the Centre City East Planned District-Zoned site, in the Centre City Community Plan area, and is further described as Interstate 5 Freeway/Highway Right-of-Way. (CUP-86-0955. District-8.)

Subitem-A: (R-87-)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-86-0955 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-87-)

Adoption of a Resolution granting the appeal and denying the permit or denying the appeal and granting the permit with appropriate findings to support Council action.

FILE LOCATION: PERM CUP-86-0955

COUNCIL ACTION: (Tape location: D015-040.)

Hearing began 2:09 p.m. and halted 2:12 p.m.

Motion by Wolfsheimer to continue to June 9, 1987, at the request of Mayor O'Connor for her to be present. Second by Struiksma.

Motion amended.

Testimony on the continuance by Uvaldo Martinez.

Council Members Ballesteros and McColl entered 2:10 p.m.

MOTION BY WOLFSHEIMER TO CONTINUE TO JULY 6, 1987, 2:00 P.M. AT THE REQUEST OF MAYOR O'CONNOR FOR HER TO BE PRESENT AND AT THE REQUEST OF MR. MARTINEZ. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-S500:

(Continued from the meeting of May 26, 1987, Item 330, at Council Member Struik's request, for time for Councilmembers to review Ford's binder.)
Eight actions relative to Assessment District No. 4007 -
First San Diego River Improvement Project (FSDRIP):
(Mission Valley Community Area. District-5.)

Subitem-A: (R-87-2365) ADOPTED AS RESOLUTION R-268493
Ordering changes and modifications in the Engineer's Report.

Subitem-B: (R-87-2366) ADOPTED AS RESOLUTION R-268494
Overruling and denying protests and making certain findings.

Subitem-C: (R-87-2367) ADOPTED AS RESOLUTION R-268495
Approving and providing for contribution to pay certain costs and expenses.

Subitem-D: (R-87-2368) ADOPTED AS RESOLUTION R-268496
Confirming the assessment, ordering the improvements made, together with appurtenances, and approving the Engineer's Report.

Subitem-E: (R-87-2370) CONTINUED TO JUNE 23, 1987
Awarding the contract for the construction of certain public works of improvement.

Subitem-F: (R-87-2369) CONTINUED TO JUNE 23, 1987
Making award for sale of bonds and providing for the establishment of a redemption fund.

Subitem-G: (R-87-2371) ADOPTED AS RESOLUTION R-268497
Authorizing the acceptance of certain grant deeds.

Subitem-H: (R-87-2405) CONTINUED TO JUNE 23, 1987
Authorizing the execution of an agreement with Westec Services, Inc. (WESTEC), for consultant services, for the First San Diego River Improvement Project (FSDRIP).

CITY MANAGER REPORT: On November 12, 1985, the Council accepted the property owner petition for the subject assessment district. The proposed improvements consist of the construction of an earthen channel capable of containing a 100 year flood, revegetation of the channel slopes with native river plants, and the landscaping of an approximately 20-foot-wide buffer zone on

each side of the channel. In addition, the two existing street crossings, Mission Center Road and Stadium Way, and a new crossing, Camino del Este, will be constructed. The Mission Center Road and Stadium Way crossings will also be widened to accommodate additional traffic at the 10-year flood level. Included with the assessment district improvements is the replacement of the existing 54-inch Mission Valley Trunk Sewer with a new 78-inch sewer. This cost will be paid by the Water Utilities Department.

NOTE: See Items S501 and S502 for companion items.

FILE LOCATION: STRT D-2256

COUNCIL ACTION: (Tape location: G418-II98.)

Hearing began 4:41 p.m. and halted 5:47 p.m.

The hearing was opened to allow testimony in opposition by Emmanuel Savitch.

Motion by Wolfsheimer to exclude the University Ford property from the proposed assessment district. Second by Gotch. Failed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-nay, Jones-nay, Struiksma-nay, Gotch-yea, McCarty-nay, Ballesteros-yea, Mayor O'Connor-not present.

MOTION BY STRUIKSMA TO ADOPT SUBITEMS-A, B, C, D, AND G OF ITEM-S500, SUBITEMS A AND B OF ITEM-S501, AND ITEM-S502 AND CONTINUE SUBITEMS E, F, AND H OF ITEM-S500 TO JUNE 23, 1987, AT THE REQUEST OF THE BOND COUNSEL. Second by Jones. Passed by the following vote: Wolfsheimer-yea, changed from nay at her request, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

Motion by Gotch to direct the City Manager to report back to Council on a proposal that would impose a fee upon further intensity and development within the area, including Mission Valley Center, that would benefit from the proposed improvements.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-S501:

(Continued from the meeting of May 26, 1987, Item 331, at Council Member Struiksma's request, to be taken with related companion items.)

Two actions relative to the First San Diego Improvement Project Landscape Maintenance District:

(Mission Valley Community Area. District-5.)

Subitem-A: (R-87-1843) ADOPTED AS RESOLUTION R-268498
Approving the City Engineer's Report submitted in connection
with the First San Diego Improvement Project Landscape
Maintenance District.

Subitem-B: (R-87-2406) ADOPTED AS RESOLUTION R-268499
Forming the Assessment District, considering the protests,
approving the modified map, confirming the assessments, and
ordering the proposed maintenance, in the matter of the First
San Diego River Improvement Project (FSDRIP) Maintenance
District.

NOTE: See Item S500 for a companion item.

FILE LOCATION: STRT M-145

COUNCIL ACTION: (Tape location: G418-I198.)

Hearing began 4:41 p.m. and halted 5:47 p.m.

The hearing was opened to allow testimony in opposition by
Emmanuel Savitch.

Motion by Wolfsheimer to exclude the University Ford property from
the proposed assessment district. Second by Gotch. Failed by the
following vote: Wolfsheimer-yea, Cleator-not present, McColl-nay,
Jones-nay, McCarty-nay, Ballesteros-yea, Mayor O'Connor-not
present.

MOTION BY STRUIKSMA TO ADOPT SUBITEMS-A, B, C, D, AND G OF
ITEM-S500, SUBITEMS A AND B OF ITEM-S501, AND ITEM-S502 AND
CONTINUE SUBITEMS E, F, AND H OF ITEM-S500 TO JUNE 23, 1987, AT
THE REQUEST OF THE BOND COUNSEL. Second by Jones. Passed by the
following vote: Wolfsheimer-yea, changed from nay at her request,
Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea,
Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not
present.

Motion by Gotch to direct the City Manager to report back to
Council on a proposal that would impose a fee upon further
intensity and development within the area, including Mission
Valley Center, that would benefit from the proposed improvements.
Second by Struiksma. Passed by the following vote:
Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea,
Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor
O'Connor-not present.

ITEM-S502: (R-87-2067) ADOPTED AS RESOLUTION R-268500

(Continued from the meeting of May 26, 1987, Item 332, at
Council Member Struiksma's request, to be taken with related
companion items.)

Vacating an easterly excess of Stadium Way north of Camino

Del Rio North under the procedure for the summary vacation of streets where the portion of street to be vacated is excess right-of-way of a street or highway not required for street or highway purposes; declaring that this resolution shall not become effective unless and until the acquisition of the required right-of-way for Stadium Way in conjunction with the First San Diego River Improvement Project (FSDRIP) Assessment District has been approved by Council action; directing the City Engineer to advise the City Clerk of the approval of the aforementioned subdivision map.

(First San Diego River Improvement Area. District-5.)

CITY MANAGER REPORT: This vacation is proposed in conjunction with the First San Diego River Improvement Project assessment district (FSDRIP). FSDRIP is to provide channelization and revegetation of the river banks, establish a maintenance district and upgrade three river crossings, which includes Stadium Way. The vacation is part of a negotiation strategy for the acquisition of right-of-way for the widening of Stadium Way and other work which is related to FSDRIP. The area of vacation is unimproved excess right-of-way no longer required for street purposes and does not contain public or franchised facilities. The subject vacation is within the Mission Valley Unified Plan area and is currently zoned R-1-40 which permits 1 dwelling unit per acre. The approximate area of the vacation is 0.054 acres and will not affect the allowable number of units under the present zone. However, a slight increase in the ultimate development rights would accrue to the property as a result of this vacation. The Planning Department has no objections to the proposed vacation. The Planning Commission recommended approval on December 4, 1986 by a 6-0-1 vote. Staff review has indicated that the right-of-way to be vacated is no longer required for present or prospective public use and can be summarily vacated conditioned upon the acquisition of the off-site rights-of-way as required by FSDRIP for Stadium Way.

NOTE: See Item S500 for a companion item.

FILE LOCATION: STRT J-2654, DEED F-3909 DEEDFY87-1

COUNCIL ACTION: (Tape location: G418-I198.)

Hearing began 4:41 p.m. and halted 5:47 p.m.

The hearing was opened to allow testimony in opposition by Emmanuel Savitch.

Motion by Wolfsheimer to exclude the University Ford property from the proposed assessment district. Second by Gotch. Failed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-nay, Jones-nay, Struiksmay-nay, Gotch-yea, McCarty-nay, Ballesteros-yea, Mayor O'Connor-not present.

MOTION BY STRUIKSMA TO ADOPT SUBITEMS A, B, C, D, AND G OF ITEM-S500, SUBITEMS A AND B OF ITEM-S501, AND ITEM-S502 AND CONTINUE SUBITEMS E, F, AND H OF ITEM-S500 AT THE REQUEST OF BOND COUNSEL. Second by Jones. Passed by the following vote:

Wolfsheimer-yea, changed from nay at her request, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

Motion by Gotch to direct the City Manager to report back to Council on a proposal that would impose a fee upon further intensity and development within the area, including Mission Valley Center, that would benefit from the proposed improvements.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ITEM-S503: (O-87-211) INTRODUCED AND ADOPTED AS ORDINANCE
O-16873 (New Series)

Introduction and adoption of an Ordinance amending O-16678 (New Series), as amended, entitled "An Ordinance adopting the Annual Budget for the Fiscal Year 1986-87 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Documents Nos. 00-16678-1 and 00-16678-2, as amended and adopted therein, by appropriating the sum of \$2,124,888 from the unappropriated fund balance of the Sewerage Utility Revenue Funds (41506) and allocating said sum of \$2,124,888 to the Sewerage Utility Revenue Fund (41506), Wastewater Systems Construction Program (70492) for the construction of the Penasquitos Glens Trunk Sewer Expansion; amending the Capital Improvement Program by adding a new project CIP-46-148.0, entitled "Penasquitos Glens Trunk Sewer Expansion;" authorizing the transfer of said funds appropriated and allocated above to CIP-46-148.0; authorizing the expenditure of said \$2,124,888 from the Sewerage Utility Revenue Fund (41506), Wastewater Construction Program (70492), CIP-46-148.0, entitled "Penasquitos Glens Trunk Sewer Expansion" Project for the above purposes.

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER REPORT: In order for the City to meet its obligations under the "Camino Del Norte Sewer Will-Serve Agreement" entered into on September 16, 1985, certain on-site and off-site sewer facilities need to be installed and others upgraded. The developer shall advance all costs of facilities and be reimbursed by the City in a manner set forth in the proposed

"Agreement Regarding Sewer Facilities." The on-site work includes installation of 321 feet of 8-inch sewer main, upsizing of 3,148 feet of sewer mains from 8 to 10-inch diameter and upgrading of an on-site sewer pump station. These facilities shall be completed by the developer within two years of execution of this agreement by the City. Off-site requirements involve upsizing existing Pump Station 62 and upsizing approximately two miles of existing downstream sewer mains to accommodate increased flows. All off-site facilities shall be completed prior to occupancy of any buildings with the exception of Unit 1 of Tentative Map TM-85-0153, which has already recorded and four model homes each of Units 2 and 5 of the same tentative map.

Aud. Cert. 8700892.

WU-M-87-155.

NOTE: The first public hearing of the Ordinance was Monday, June 1, 1987. (See Item S401CC) Today's action is the second public hearing for the introduction and adoption of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B036-041.)

MOTION BY GOTCH TO INTRODUCE, DISPENSE WITH THE READING, AND ADOPT

THE ORDINANCE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

NON DOCKET ITEMS:

ITEM-ND-2: (R-87-2484) ADOPTED AS RESOLUTION R-268432

Extending a welcome to the National Governing Bodies with the hope that their stay in San Diego will be most pleasant and informative.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: I200-225.)

MOTION BY McCOLL TO BRING THE ITEM TO COUNCIL FOR CONSIDERATION.

Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Jones at 5:50 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: I226).